IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	:	
Walther JARY et al.	:	
Serial No. NEW	:	**Attn: APPLICATION BRANCH**
Filed February 11, 2004	:	Attorney Docket No. 2004_0073A

PROCESS FOR GENERATING SINGLET OXYGEN AND USE THEREOF

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449.

A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing date of the first Office Action on the merits,

and thus no certification and/or fee is required.

1b. [] This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) [] the certification of paragraph 2 below is provided, **or**

(2) [] the fee of $180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. [] This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of $180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. [] that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. [] that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. [] Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

a. [] a full or partial English language translation submitted herewith,

b. [X] a foreign patent office (Austrian) Official Action (with English language translation) submitted herewith,

The following is a translation of the relevant parts of the Austrian Official Action:

The Austrian Patent Office has taken the following literature, which was publicly known before the priority date, into consideration concerning patentability of the application:

D1: R.G. BULGAKOV et al., "Spectral studies of the mechanism of oxidation of Cp2Fe by ozone", Russian Chemical Bulletin, 1999, 48(4), pages 790-793, (abstract); CAPLUS AN: 1999:462309

D2: I.I. GINVAL'D et al., "Unstable Complexes of sandwich compounds with small molecules. 3.Complex formation by metallocenes of 3d-elements with molecular oxygen at low temperatures"; CAPLUS AN: 1989:23922

D3: R.G. BULGAKOV et al., Oxidation of ferrocene with ozone and chemiluminescence", Izvestiya Organicheskoi Khimii im. N.S. Zelinskogo Rosiiskoi Akademii Nauk", 1955 (12), pages 2529-30 (abstract); CAPLUS AN: 1996: 188589

D4: T.M. HELLMAN et al., "On the Mechanism of Alkane Oxidation by Ozone in the presence and Absence of $FeCl_2$", Journal of the American Chemical Society, 96(5), 1974, pages 1530-1535;

None of the cited documents is relevant in respect to novelty and obviousness, since the generating of singlet oxygen by addition of ozone to ferrocene is neither described nor suggested.

c. [] the concise explanation contained in the specification of the present application at page ,

d. [] the concise explanation set forth in the attached English language abstract,

e. [] the concise explanation set forth below or on a separate sheet attached to the reference:

5. [] A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Walther JARY et al.

By _____
Matthew M. Jacob
Registration No. 25,154
Attorney for Applicants

MJ/da
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
February 12, 2004

Sheet 1 of 1

FORM PTO 1449 (*modified*)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT(S)
(*Use several sheets if necessary*)

Date Submitted to PTO: February 12, 2004

ATTY DOCKET NO.	SERIAL NO.
2004_0073A	NEW

APPLICANT
Walther JARY et al.

FILING DATE
February 11, 2004

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	3,980,762	9/1976	Shiblom, Jr. et al.			
	AB						
	AC						
	AD						
	AE						
	AF						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	AG							
	AH							
	AI							
	AJ							
	AK							

OTHER DOCUMENT(S) (*Including Author, Title, Date, Pertinent Pages, Etc.*)

	AL	Bulgakov et al., R.G., Russian Chemical Bulletin, 48(4), p. 790-793, 1999 (abstract).
	AM	Bulgakov et al., Izvestiya Organicheskoi Khimii im. N.D. Zelinskogo Rosiiskoi Akademii Nauk, 1955(12), p. 2529-30 1996 (abstract).
	AN	Hellman, T.M. et al., Journal of the American Chemical Society, 96(5), p. 1530-1535, 1974.
	AO	Ginval'd, I.I. et al., Izvestiya Akademii Nauk SSSR, Seriya Khimicheskaya (1), p. 58-60 (1986).

EXAMINER	DATE CONSIDERED

**EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of form with next communication to applicant.*